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MINUTES OF THE REGULAR COMMISSION MEETING OF THE MICHIGAN PUBLIC SERVICE COMMISSION HELD IN ITS OFFICES ON APRIL 13, 2010

Commission Chairman Orjiakor N. Isiogu called the meeting to order at 1:33 p.m.
Executive Secretary Mary Jo Kunkle called the roll and declared there was a quorum.

PRESENT

Commission: Orjiakor N. Isiogu, Chairman
Monica Martinez, Commissioner
Greg R. White, Commissioner

Staff: Margaret Wallin
Judy Palnau
Mary Jo Kunkle
Catherine Bowers

Public: Alex Zakem, Integrys Energy Services
Michael G. Oliva, Loomis Ewert
Suzy Denison, MEGA
Lisa Gustafson, Consumers Energy
Saudia Santure, Consumers Energy
Kwafo Adarkwa, ITC
Ruth Gaudard, AT&T
B. Roberts, Consumers Energy
Jim Padgett, DTE Energy

- I.** Commissioner Martinez moved to approve today's agenda, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The agenda was approved.

- II.** Commissioner Martinez moved to approve the minutes of the Regular Commission Meeting of March 18, 2010, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The minutes were approved.

III. ORDERS

A. COMMUNICATIONS

1. U-11596 AT&T MICHIGAN AND QWEST COMMUNICATIONS COMPANY, LLC
- U-16228 AT&T MICHIGAN AND IBFA ACQUISITION COMPANY, LLC
- U-16238 VERIZON NORTH INC. AND CONTEL OF THE SOUTH, INC., d/b/a VERIZON NORTH SYSTEMS, AND CYNERGYCOMM.NET, INC.
- U-16239 VERIZON NORTH INC. AND CONTEL OF THE SOUTH, INC., d/b/a VERIZON NORTH SYSTEMS, AND JAS NETWORKS, INC.
- U-16241 MICHIGAN CENTRAL BROADBAND COMPANY, LLC, AND SPRINT SPECTRUM, L.P., AND NEXTEL WEST CORP.
- U-16248 CENTURYTEL OF MICHIGAN, INC., d/b/a CENTURYLINK AND CLEAR RATE COMMUNICATIONS, INC.
- U-16253 CENTURYTEL OF UPPER MICHIGAN, INC., d/b/a CENTURYLINK AND CLEAR RATE COMMUNICATIONS, INC.
- U-16254 CENTURYTEL OF NORTHERN MICHIGAN, INC., d/b/a CENTURYLINK AND CLEAR RATE COMMUNICATIONS, INC.
- U-16255 CENTURYTEL OF MIDWEST-MICHIGAN, INC., d/b/a CENTURYLINK AND CLEAR RATE COMMUNICATIONS, INC. (interconnection agreements and amendments)

Commissioner Martinez moved that the Commission adopt and issue order dated April 13, 2010 which requests Commission approval of interconnection agreements and amendments. The order before you approves the requests, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

2. U-16183 COMMISSION'S OWN MOTION
(Act 182 – access rate reform)

Commissioner Martinez moved that the Commission adopt and issue order dated April 13, 2010 which is a proceeding commenced on the Commission's own motion to provide guidance and direction to telecommunications providers regarding the implementation of 2009 PA 182. The order before you establishes the eligible provider disbursements and total fund size of the intrastate switched toll access rate restructuring mechanism, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

3. U-16192 CLIMAX TELEPHONE COMPANY
(total service long run incremental cost study)

Commissioner Martinez moved that the Commission adopt and issue order dated April 13, 2010 which involves an application for approval of a total service long run incremental cost study for Climax Telephone Company. The order before you approves the cost study with modifications, and directs the company to file a compliant cost study within 30 days, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

4. U-16236 DRENTHE TELECOM LLC
(temporary license)

Commissioner Martinez moved that the Commission adopt and issue order dated April 13, 2010 which is an application for a temporary license to provide basic local exchange service. The order before you grants the temporary license, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

5. U-16250 COMMISSION'S OWN MOTION
(rulemaking)

Commissioner Martinez moved that the Commission adopt and issue order dated April 13, 2010 which involves the promulgation of rules for the arbitration of interconnection agreements and mediation of complaints. The order before you schedules a public hearing to provide an opportunity for public comment on the proposed rules, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

6. MINUTE VERIZON NORTH INC. AND VERIZON NORTH SYSTEMS
ACTION (Case No. U-14000 wireless emergency service costs)

Commissioner Martinez moved that the Commission adopt and issue minute dated April 13, 2010 finding that the attached Verizon invoice Nos. M19NZMTS911 and M19NGMTS911 for the period of September 1, 2009 to November 30, 2009, are for wireless emergency service costs recoverable under 2007 PA 165, MCL 484.1408(4)(b), and consistent with the Commission's order dated June 29, 2004 in Case No. U-14000. The Commission approves the attached invoices in the amount of \$168,485.61 for reimbursement by the Michigan Department of Treasury, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The minute was adopted.

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| 7. | MINUTE ACTION | VERIZON NORTH INC. AND VERIZON NORTH SYSTEMS
(Case No. U-14000 wireless emergency service costs) |
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Commissioner Martínez moved that the Commission adopt and issue minute dated April 13, 2010 finding that the attached Verizon invoice Nos. M19NZMTS911 and M19NGMTS911 for the period of December 1, 2009 to February 28, 2010, are for wireless emergency service costs recoverable under 2007 PA 165, MCL 484.1408(4)(b), and consistent with the Commission's order dated June 29, 2004 in Case No. U-14000. The Commission approves the attached invoices in the amount of \$168,485.61 for reimbursement by the Michigan Department of Treasury, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The minute was adopted.

B. ELECTRIC

1. U-13129 COMMISSION'S OWN MOTION

(low-income and energy efficiency fund)

Commissioner Martinez moved that the Commission adopt and issue order dated April 13, 2010 which involves an amendment to the Commission's September 15, 2009 order in this docket awarding \$55 million in energy assistance grants from the Low-Income and Energy Efficiency Fund to nine organizations. The order before you authorizes the Department of Human Services to utilize its total grant award of \$35,636,400 to supplement the energy crisis portion of the State Emergency Relief program, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

2. U-15768 THE DETROIT EDISON COMPANY
(rehearing)
U-15751 THE DETROIT EDISON COMPANY
(cost-based rates implementation)

Commissioner Martinez moved that the Commission adopt and issue order dated April 13, 2010 which is a general rate case proceeding filed by The Detroit Edison Company on January 26, 2009. The order before you grants the petition for rehearing filed by Energy Michigan, and clarifies the January 11, 2010 order, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

3. U-15813 ALGER DELTA COOPERATIVE ELECTRIC ASSOCIATION
U-15816 CLOVERLAND ELECTRIC COOPERATIVE
U-15817 GREAT LAKES ENERGY COOPERATIVE
U-15818 MIDWEST ENERGY COOPERATIVE
U-15819 THE ONTONAGON COUNTY RURAL ELECTRIFICATION
ASSOCIATION
U-15820 PRESQUE ISLE ELECTRIC & GAS CO-OP
U-15821 THUMB ELECTRIC COOPERATIVE
U-15822 HOMEWORKS TRI-COUNTY ELECTRIC COOPERATIVE
(requests to waive annual reports)

Commissioner Martinez moved that the Commission adopt and issue order dated April 13, 2010 which involve a motion filed on behalf of Alger Delta Cooperative Electric Association, Cloverland Electric Cooperative, Great Lakes Energy Cooperative, Midwest Energy Cooperative, The Ontonagon County Rural Electrification Association, Presque Isle Electric & Gas Co-Op, Thumb Electric Cooperative, and HomeWorks Tri-County Electric Cooperative to defer the filing of energy optimization plan annual reports. The order before you denies the motion, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White

Nays – None

The order was adopted.

4. U-16031 UPPER PENINSULA POWER COMPANY
(’10 PSCR plan)

Commissioner Martinez moved that the Commission adopt and issue order dated April 13, 2010 which involves an application by Upper Peninsula Power Company for authority to implement a power supply cost recovery plan and establish power supply cost recovery factors for the 12-month period ending December 31, 2010 and other related approvals. The order before you approves a settlement agreement resolving all issues in the case, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White

Nays – None

The order was adopted.

PRESS RELEASE ISSUED

5. U-16034 WISCONSIN ELECTRIC POWER COMPANY
(’10 PSCR plan)

Commissioner Martinez moved that the Commission adopt and issue order dated April 13, 2010 which involves an application by Wisconsin Electric Power Company for authority to implement a power supply cost recovery plan and establish power supply cost recovery factors for the 12-month period ending December 31, 2010. The order before you approves a settlement agreement resolving all issues in the case, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White

Nays – None

The order was adopted.

PRESS RELEASE ISSUED

6. U-16132 DETROIT THERMAL, LLC
(steam sales agreement)

Commissioner Martinez moved that the Commission adopt and issue order dated April 13, 2010 which is an application filed by Detroit Thermal, LLC, for *ex parte* approval of a special contract for steam sales. The order before you finds the special contract to be reasonable and in the public interest, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

7. U-16180 INDIANA MICHIGAN POWER COMPANY
(self-implementation procedures)

Commissioner Martinez moved that the Commission adopt and issue order dated April 13, 2010 which involves an application filed by Indiana Michigan Power Company on January 27, 2010 for authority to increase its rates for the sale of electric energy. The order before you requires the utility to file a tariff showing the rates that it intends to self-implement between July 26, 2010, and January 27, 2011, and schedules a hearing, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

PRESS RELEASE ISSUED

8. U-16191 CONSUMERS ENERGY COMPANY
(self-implementation procedures)

Commissioner Martinez moved that the Commission adopt and issue order dated April 13, 2010 which involves an application filed by Consumers Energy Company on January 22, 2010 for authority to increase its rates for the generation and distribution of electricity and for other relief. The order before you requires the utility to file a

tariff showing the rates that it intends to self-implement between July 21, 2010, and January 22, 2011, and schedules a hearing, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

PRESS RELEASE ISSUED

9. U-16231 WISCONSIN ELECTRIC POWER COMPANY
(depreciation rates)

Commissioner Martinez moved that the Commission adopt and issue order dated April 13, 2010 which involves an application filed by Wisconsin Electric Power Company for *ex parte* approval of new depreciation rates recently approved by the Public Service Commission of Wisconsin. The order before you approves the application, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

10. MINUTE ACTION CONSUMER SENTINEL NETWORK
(confidentiality and data security agreement)

Commissioner Martinez moved that the Commission adopt and issue minute dated April 13, 2010 authorizing Robert W. Kehres to enter into a confidentiality and data security agreement on behalf of the Michigan Public Service Commission (MPSC) with the Bureau of Consumer Protection of the Federal Trade Commission (Bureau) in order for the MPSC Staff to obtain access to the Bureau's Consumer Sentinel Network information database that was created to promote the confidential exchange of consumer complaint information, including information about consumer fraud and deception perpetrated through the Internet, direct mail, telemarketing, or other media, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The minute was adopted.

C. GAS

1. U-15509 UNIVERSAL GAS & ELECTRIC CORPORATION
(closing docket)

Commissioner Martinez moved that the Commission adopt and issue order dated April 13, 2010 which was commenced on the Commission's own motion to investigate allegations regarding the marketing and customer service practices of Universal Gas & Electric Corporation. The order before you concludes that the docket in this matter should be closed, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

2. U-15766 MICHCON GATHERING COMPANY v HIGHMOUNT
MIDWEST ENERGY AND HIGHMOUNT EXPLORATION &
PRODUCTION MICHIGAN, LLC

Commissioner Martinez moved that the Commission adopt and issue order dated April 13, 2010 which involves a complaint filed by MichCon Gathering Company for determinations related to alleged lost gas treatment fees and an application to refuse transportation of gas. The order before you denies the request to refuse transportation of gas tendered by the respondents, denies a motion to reopen, and makes other findings, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

3. U-16062 FAMILY ENERGY INC., d/b/a FAMILY ENERGY SERVICES
(closing docket)

Commissioner Martinez moved that the Commission adopt and issue order dated April 13, 2010 which is an application filed by Family Energy Inc., d/b/a Family Energy Services for approval of a license to operate as an alternative gas supplier. The order before you dismisses the application without prejudice at the request of the applicant, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

4. U-16138 JUANITA CRESPO v DTE ENERGY COMPANY

Commissioner Martinez moved that the Commission adopt and issue order dated April 13, 2010 which involves the complaint of Juanita Crespo against DTE Energy Company. The order before you dismisses the complaint with prejudice, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

5. U-16151 PRESQUE ISLE ELECTRIC & GAS CO-OP
(GCR plan and factors)

Commissioner Martinez moved that the Commission adopt and issue order dated April 13, 2010 which involves an application by Presque Isle Electric & Gas Co-op requesting that the Commission approve the company's gas cost recovery plan and factors for the 12-month period from April 1, 2010 through March 31, 2011. The order before you approves a settlement agreement and authorizes the company to implement a base gas cost recovery factor of \$0.7914 per hundred cubic feet for the 2010-2011 plan year, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

PRESS RELEASE ISSUED

6. U-16175 WILLIAM JOHNSON v MICHIGAN CONSOLIDATED GAS
COMPANY AND THE DETROIT EDISON COMPANY

Commissioner Martinez moved that the Commission adopt and issue order dated April 13, 2010 which involves the complaint of William Johnson against Michigan Consolidated Gas Company and The Detroit Edison Company. The order before you dismisses the complaint with prejudice, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

7. U-16187 INTEGRY’S ENERGY SERVICES-NATURAL GAS, LLC
(AGS license)

Commissioner Martinez moved that the Commission adopt and issue order dated April 13, 2010 which is an application by Integrys Energy Services – Natural Gas, LLC, for a license as an alternative gas supplier. The order before you approves this request, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

PRESS RELEASE ISSUED

IV. PUBLIC COMMENTS

There were no public comments.

Chairman Isiogu announced that the next regularly scheduled Commission Meeting will be held on April 27, 2010.

Commissioner Martinez moved that the Commission adjourn, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The motion was approved.

The meeting adjourned at 1:50 p.m.

Mary Jo Kunkle
Executive Secretary